

**Introduced by Senators Knight and Oller**February 18, 2003

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An act to amend Section 44230 of the Education Code, relating to teachers.

## LEGISLATIVE COUNSEL'S DIGEST

SB 263, as introduced, Knight. Committee on Teacher Credentialing: disclosure of examinations.

Existing law requires the Commission on Teacher Credentialing to maintain for public record certain enumerated information and authorizes the commission to disclose that information. Existing law generally prohibits the disclosure by the commission of information absent an order from a court of competent jurisdiction.

This bill would, in addition, require the disclosure of specified information relating to examinations for entry to or advancement in the education profession to a Member of the Legislature, or the Governor or his or her designee, upon request.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 44230 of the Education Code is  
2 amended to read:  
3 44230. (a) (1) (A) The commission shall maintain for  
4 public record, and may disclose, only the following information  
5 relating to the credentials, certificates, permits, or other  
6 documents that it issues: the document number, title, term of  
7 validity, subjects, authorizations, effective dates, renewal



1 requirements, and restrictions. The commission may also disclose  
2 the last known business address of any applicant or  
3 credentialholder.

4 *(B) In addition to the information described by subparagraph*  
5 *(A), upon the request of any Member of the Legislature or upon*  
6 *request of the Governor or his or her designee, test questions or*  
7 *materials that would be used by the commission to administer an*  
8 *examination for entry to or advancement in the education*  
9 *profession shall be disclosed to the requester. These questions or*  
10 *materials may not include an individual examination that has been*  
11 *administered to an individual and scored. The requester may not*  
12 *take physical possession of the questions or materials, but may*  
13 *view the questions or materials at a location selected by the*  
14 *commission. Upon viewing this information, the requester shall*  
15 *keep the materials that he or she has seen confidential.*

16 (2) Notwithstanding any other provision of law, except as  
17 provided for in Section 44248, no information, other than that set  
18 forth in paragraph (1), may be disclosed by the commission absent  
19 an order from a court of competent jurisdiction.

20 (b) In order to expedite the application process for the benefit  
21 of applicants for credentials, certificates, permits, or other  
22 documents issued by the commission, the commission may  
23 receive from, or transmit to, the agency that submitted the  
24 application, either electronically or by printed copy, the  
25 information set forth in that application. For purposes of this  
26 subdivision, “agency” means a school district, county office of  
27 education, or institution of higher education having a  
28 commission-approved program of professional preparation.